GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS–PR&RD Department–Allegation on possession of assets disproportionate to the known sources of income and violation of APCS (Conduct) Rules, 1964 against Sri K.Prabhakar Reddy, former Deputy Executive Engineer, PR, PIU Sub-Division, Srikalahasti, Chittoor District–Departmental proceedings initiated and charges framed – Superintending Engineer,PR, Chittoor is appointed as Inquiry Officer– Inquiry report submitted- Further action dropped in respect of Charge-1 (DA case)– Imposition of penalty of withholding one(1) increment without cumulative effect under Rule 9(iv) of APCS(CC&A) Rules, 1991 in respect of charges 2 to 5 – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.RT.No. 165 **Dated: 18-03-2025**

Read the following:

1.Letter Rc.No.173/RCA-TCT/2014, dt 09-06-2015 of DG,ACB.
2.G.O.Rt.No.723,PR&RD(Vig.II) Department, dt.11.12.2020.
3.Sri K. Prabhakar Reddy, former Dy.EE, PIU SD, Srikalahasti, Chitoor District, WSD, dt.06.02.2021.
4.G.O.Rt.No.330, PR&RD (Vig.II) Department, dt.16.06.2021.
5.Letter No.Vig.(4)/9677/2010, dt.08.06.2023 of ENC,PR along with the inquiry report of the SE, PR, Chittoor & IO, dated.05.06.2023.
6.Govt.Memo.No.22345/Vig.II/2010, dated 06.07.2023.
7.Representation, dt.07.08.2023 of Sri K.Prabhakar Reddy, former Dy.EE, PIU SD, Srikalahasti, Chitoor District.

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ORDER:

In the reference 1st read above, the Director General, Anti-Corruption Bureau has informed that the AO, Sri K.Prabhakar Reddy, former Deputy Executive Engineer, PR, PIU Sub-Division, Srikalahasti, Chittoor District during the check period from 13.04.1992 (date of entry of A.O into Govt. service as AEE in PR Department) to 29.09.2010 (date of house searches), has acquired huge assets disproportionate to the known sources of income and violated the APCS(Conduct) Rules,1964 and recommended for (i) prosecution of AO in a court of law and also to (ii) initiate departmental action against him for violation of APCS(Conduct) Rules, 1964, on four (4) lapses and informed the following details of total assets, total income, total expenditure of the AO, likely savings and percentage(%) of DA:-

Total Income of A.O.	Rs.69,77,303-00
Total Expenditure of A.O.	Rs.39,32,279-00
Likely savings of A.O (Total Income- Total Expenditure)	Rs.30,45,024-00
Total Assets of A.O during check period	Rs.46,88,887-00
(-) Likely savings of A.O	Rs.30,45,024-00
Disproportionate Assets of the A.O	Rs.16,43,863-00 (% of DA = 23.56%)

2. Based on the allegations of the Director General, Anti-Corruption Bureau made in the reference 1st read above, on possession of assets

disproportionate to the known sources of income and on violation of APCS (Conduct) Rules,1964 against Sri K.Prabhakar Reddy, former Deputy Executive Engineer, PR, PIU Sub-Division, Srikalahasti, Chittoor District, Government initiated departmental proceedings and framed following five (5) articles of charges under Rule 20 of APCS(CC&A) Rules, 1991 against him vide reference 2nd read above, with a direction to submit his written statement of defense:-

Charges:

1. *That he acquired huge asset in his name and in the name of his wife, father and mother, which are disproportionate to his known sources of income to a tune of Rs.16,43,863/- for which he is cannot account for satisfactorily.*
2. *That the Government Servant had acquired the immovable and movable properties without obtaining prior permission from the competent authority and violated Rule 9(1)of APCS(Conduct)Rules, 1964.*
3. *He failed to submit Annual property returns to the competent authority for the period from 13-04-1992 (date of entry into service) to 29-10-2010 and violated Rule 9(7) of APCS (Conduct) Rules, 1964.*
4. *He failed to intimate to the competent authority within 15 days from the date of receipt of foreign currency of $14,500 UD Dollars from his brother-in-law Sri Harshavardhan Reddy and thereby violated Rule 6-A of APCS (Conduct) Rules, 1964.*
5. *He subscribed to Margadarsi Chit in the name of his father and paid Rs.10,000/- as monthly subscription for 50 months vide Chit No.LTO10TJ/30 during the period from 16-11-2001 to 06-12-2005 for the value of Rs.5,00,000/- and he failed to intimate the same to higher authorities and thereby violated Rule 10(2) of APCS (conduct) Rules, 1964.*

3. In the reference 3rd read above, the charged officer has submitted his written statement of defence(WSD) denying the charges framed against him. After not convincing with the Written Statement of defense of the CO, Government vide reference 4th read above, have appointed the Superintending Engineer, Panchayat Raj, Chittoor (by designation) as the Inquiring Officer(IO) and Executive Engineer, PR Division, Tirupati as Presenting Officer(PO) to conduct inquiry into the charges framed against Sri K.Prabhakar Reddy, former Deputy Executive Engineer, PR, PIU Sub-Division, Srikalahasti, Chittoor District under Rule 20(2) of APCS (CC&A), 1991 in the subject matter.

4. In the reference 5th read above, the Superintending Engineer, Panchayat Raj, Chittoor & Inquiring Officer(IO) has furnished the inquiry report dt.05.06.2023 and with respect to Charge-1, he has furnished the following findings among others:-

a) The value of Gold articles, i.e Rs.91,600/- was deleted from the head of assets as per the customs and usage of Hindu Tradition.
b) The ancestral properties are not divided among the family members of the CO. It came to further notice that on 13-10-2017 the father of the CO has distributed his properties to the CO and his brother in equal ratio and same was got registered through will vide Doc.No. 62 of 2017 of SRO, Renigunta. On 27-04-2022 his mother gave her properties mentioned above to his sister Smt. Mallavaram Dharani through settlement deed vide Doc.No.1970 of 2022 of SRO, Srikalahasthi and the same was taken by the sister of CO after demise of his mother Smt. Krishnaveni. It is clear evident that CO's parents did not distribute either income or assets. Since the CO and his wife, father mother are living together with their children in the

same house, they are being considered as one unit of joint family. All the assets and legal income of CO's wife, father has been taken into consideration while calculating DA of the CO. Hence, an amount of Rs.9,83,940/- had been taken as income of the Charged Officer instead of 2/5th share as mentioned by the ACB.

c) CO's wife has received Rs.3,50,000/-from her father's death benefits by way of pay order No.217915 dated 3-11-2000 of Andhra bank and cheque No.693475 dated 13.11.2000 of SBH, Tirupati and same were considered as legal income of the Charged Officer.
d) The father of the CO was a subscriber of Margadarshi Chit funds, Pvt. Ltd subscribed for Rs.10,000/- per month for 50 months and he has received Rs.3,86,000/- as prize bid amount and Rs.87,311/- as dividend vide Chit No.LT010TJ/30. Hence, an amount of Rs. 3,86,000/- was taken in to consideration as Income of CO.
e) The ACB was directed in Government Memo No.700/SC-D/88-4, dated 13.02.1989 to add 20% as bonus on the notional income allowing a margin for errors in calculations. It was not done in this case.

Finally, the Inquiring Officer(IO) has concluded that the total income of CO is Rs.83,53,223/- as against the total expenditure of Rs.37,16,287/- and the CO is found to have in possession of surplus income of Rs.39,109/- without adding the 20% bonus of Income on the notional income allowing a margin for errors in calculations and held that the charge-1 framed against the CO as not proved.

6. With respect to charges 2 to 5 i.e., for violating Rules 3(1), 3(2), 9(1),9(7),6-A,10(2) of APCS (Conduct) Rules, 1964, the Inquiring Officer(IO) has held that the charges framed against the CO as proved.

7. In the reference 6th read above, Government communicated a copy of the inquiry report to the Charged Officer, Sri K.Prabhakar Reddy, former Deputy Executive Engineer, PR, PIU Sub-Division, Srikalahasti, Chittoor District, as per Rule 21(2) of APCS (CC&A) Rules, 1991 for his representation, if any, on the findings of the Inquiry officer to the Government for taking further action in the matter.

8. In the reference 7th read above, the charged officer, Sri K. Prabhakar Reddy, former Deputy Executive Engineer, PR, PIU Sub-Division, Srikalahasti, Chittoor District has accepted the findings of Inquiry Officer(IO) and requested to consider his representation and to drop further action against him.

9. After careful examination of the entire issue in detail, Government have accepted the findings of the Inquiring Officer(IO) & Superintending Engineer, PR, Chittoor District and hereby order the following instances against the Charged officer, Sri K.Prabhakar Reddy, former Deputy Executive Engineer, PR, PIU Sub-Division, Srikalahasti, Chittoor District:-

(i) To drop further action in respect of charge-1 i.e., acquisition of assets disproportionate (DA) to the known sources of income;

(ii) To impose a penalty of withholding one(1) increment without cumulative effect in respect of charges-2 to 5 i.e., violating Rules 3(1),3(2),9(1),9(7),6-A,10(2) of APCS(Conduct) Rules, 1964.

10. The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada, shall take further necessary action accordingly and send ATR to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada.
Sri K.Prabhakar Reddy, former Deputy Executive Engineer, PR, PIU Sub-Division, Srikalahasti, Chittoor District.
Through the Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
(with a request to serve the order on the individual and furnish served copy to Government).

Copy to:
The Secretary to VC, A.P. Vigilance Commission, Velagapudi.
The Director General, Anti-Corruption Bureau, Vijayawada.
The Panchayat Raj & Rural Development (Estt.I) Department.
OSD to the Hon'ble Dy.CM for PR,RD, RWS&S and EFS&T.
PS to Prl.Secy. to Govt., PR&RD Department.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER